

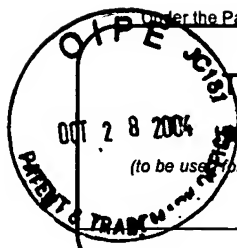
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PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

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|   |                        |           |
|---|------------------------|-----------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) | Application Number     | 10/781309 |
|   | Filing Date            | 2/18/2004 |
|   | First Named Inventor   | Backes    |
|   | Art Unit               |           |
|   | Examiner Name          |           |
| Total Number of Pages in This Submission  | Attorney Docket Number | 160-019   |

| ENCLOSURES (Check all that apply)  |   |   |
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| <input type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> After Allowance communication to Technology Center (TC)        |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers                         | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
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| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information  |
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| <input type="checkbox"/> Response to Missing Parts/Incomplete Application    | Remarks   |   |
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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |                      |
|--|----------------------|
| Firm or Individual name                    | Mary Steubing        |
| Signature                                  | <i>Mary Steubing</i> |
| Date                                       | 10/22/04             |

| CERTIFICATE OF TRANSMISSION/MAILING   |                      |      |          |
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| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |                      |      |          |
| Typed or printed name   | <i>Mary Steubing</i> |      |          |
| Signature   | <i>Mary Steubing</i> | Date | 10/26/04 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

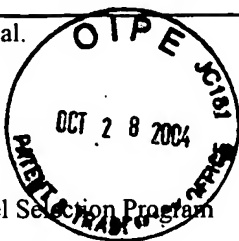
Applicant(s): Backes et al.

Serial No.: 10/781309

Filed: 2/18/2004

Title: Wireless Channel Selection Program

Attorney Docket No.: 160-019



Group Art Unit:

Examiner:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 33212-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

This Information Disclosure Statement is submitted before the mailing date of the first office action on the merits.

Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, if required, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which Applicant is aware. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 33212.

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Typed Name: Mary Steubing

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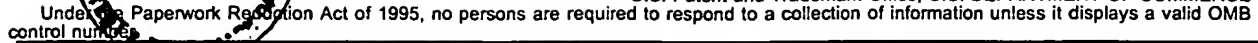
*Mary Steubing*

Respectfully submitted,

*Mary Steubing*  
\_\_\_\_\_  
Mary Steubing Reg. No. 37,946  
Attorney/Agent for Applicant(s)  
Steubing McGuinness & Manaras LLP  
125 Nagog Park Drive  
Acton, MA 01720

Date: 10/22/04

Telephone No.: 978-264-6664



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
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Sheet 1 of 2

**Complete if Known**

|                               |           |
|-------------------------------|-----------|
| <b>Application Number</b>     | 10/781309 |
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| <b>First Named Inventor</b>   | Backes    |
| <b>Art Unit</b>               |           |
| <b>Examiner Name</b>          |           |
| <b>Attorney Docket Number</b> | 160-019   |

## U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Document Number                            | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|--------------------|-----------------------|--|--------------------------------|--|---|
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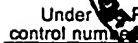
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| of | 2 |
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